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*Attorneys for Defendant  
Clark County School District*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

THE AMERICAN CIVIL LIBERTIES UNION  
OF NEVADA, a domestic nonprofit organization;  
CORIE HUMPHREY, an individual,

Plaintiffs,

vs.

CLARK COUNTY SCHOOL DISTRICT, a  
political subdivision of the State of Nevada,

Defendant.

Case No.: 2:25-cv-00892-RFB-MDC

**MOTION TO ENLARGE TIME TO  
FILE RESPONSE TO PLAINTIFF'S  
MOTION FOR TEMPORARY  
RESTRAINING ORDER**

**(FIRST REQUEST)**

Defendant Clark County School District (hereinafter, "CCSD"), by and through their attorneys of record, the law firm of Weinberg Wheeler Hudgins Gunn & Dial, LLC, hereby request a brief extension of the deadline to file its response to Plaintiffs' Motion for Temporary Restraining Order (ECF No. 6). More specifically, CCSD requests the deadline, currently set for 3:00 p.m. PT be extended to 5:00 p.m. PT. This Motion is made and based upon the following Declaration of Jacqueline V. Nichols, Esq.; all papers and pleadings on file in this action; and any oral argument this Court may request.

**DECLARATION OF JACQUELINE V. NICHOLS, ESQ.**

JACQUELINE V. NICHOLS, ESQ., declares as follows:

1. I am over the age of 18 years and have personal knowledge of the facts stated herein, except for those stated upon information and belief, and as to those, I believe them to be true. I am competent to testify as to the facts stated herein in a court of law and will so testify if called upon.

2. I am duly licensed to practice law in the State of Nevada and have personal knowledge of and I am competent to testify concerning the facts herein.

3. I am the attorney for Defendant Clark County School District (“CCSD”) in the above-referenced matter.

4. I received a copy of this Court’s Order (ECF No. 14) setting the briefing schedule on Plaintiffs’ Motion for Temporary Restraining Order (ECF No. 6) on Friday May 23, 2025.

5. At the time the order was issued, I was participating in a deposition proceeding in the matter entitled *Donald Stuckey, et al. v. Last Chance LLC d/b/a Gold Ranch Casino & RV Resort, et al.*; Case No. CV22-01773; pending in Nevada’s Second Judicial District Court. The deponent’s name is Dr. Praveen Mummaneni, and the deposition took place at University of California San Francisco Helen Diller Medical Center at Parnassus Heights, 400 Parnassus Avenue, San Francisco, California 94143.

6. Because the deposition was set for an address in San Francisco, California, my return flight to Las Vegas was scheduled for approximately 11:00 a.m. PT, Saturday May 25, 2025.

7. Based on the need to be focused and present for the deposition, and the downtown associated with making my return travel to Las Vegas, Nevada, I need additional time to work with my client to finalize CCSD’s response to the Plaintiffs’ Motion.

8. Given the matter is set for hearing tomorrow, I am requesting an additional two hours to file and serve CCSD’s response, which is the minimum amount of time I believe I need to be able to serve CCSD’s response.

9. I sent an email to Plaintiffs’ counsel, Chris Peterson, Esq., at 9:07 a.m. PT requesting Plaintiffs’ stipulation to this request for an enlargement of time. As of the time of this filing, I have not received a response to the request for a stipulation.



Pursuant to NRS § 53.045, I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

Dated this 24th day of May, 2025.

/s/ Jacqueline V. Nichols, Esq.

JACQUELINE V. NICHOLS, ESQ.

### **MEMORANDUM OF POINTS AND AUTHORITIES**

CCSD seeks a brief extension of the deadline to file and serve its response to Plaintiffs' Motion for Temporary Restraining Order (ECF No. 6). As explained above by the declaration of counsel, counsel requires a brief additional extension to complete its response which is reasonable in light of the substantially shortened briefing schedule, counsel's attendance and an out-of-state deposition in another matter, and the importance of the matter to be decided by the Court.

Ordinarily, LR 7-2 provides for CCSD to have 14 days after service of a motion for temporary restraining order to serve a response. Here, this deadline was truncated to a single day, presumably due to the fact that Plaintiff, Corie Humphrey's graduation ceremony will occur on May 27, 2025. The policy that Plaintiffs are contesting was implemented on March 27, 202, notwithstanding Plaintiff, Ameri opposition to the policy submitted exactly one month earlier, on February 27, 2025. As a result of the Plaintiffs' decision to wait until May 15, 2025 to file their Complaint, CCSD is severely prejudiced by the severely truncated time for it to respond combined with counsel's required attendance at an out-of-state deposition schedule in an unrelated lawsuit. As set forth in LR 7-4, emergency motions seeking substantive relief, such as a request for an emergency restraining order are disfavored, in part due to the prejudice created by shortened response deadlines. On the other hand, LR 7-4 permits requests for procedural relief to be filed on an emergency basis, including motions to extend time to file a brief.

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1 Here, CCSD is seeking a very brief, 2-hour extension of the deadline to file and serve  
2 CCSD's response to Plaintiff's Motion for Temporary Restraining Order. This request is  
3 reasonable given the circumstances faced by counsel undersigned and should not cause prejudice  
4 to Plaintiffs who were in control of the date for initiating the instant action.

5 Dated this 24th day of May, 2025.

6  
7 /s/ Jacqueline v. Nichols  
8 Phillip N. Smith Jr., Esq.  
9 Jacqueline V. Nichols, Esq.  
10 WEINBERG, WHEELER, HUDGINS,  
11 GUNN & DIAL, LLC  
12 6385 South Rainbow Blvd., Suite 400  
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14 *Attorneys for Defendant*  
15 *Clark County School District*  
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WEINBERG WHEELER  
HUDGINS GUNN & DIAL



**CERTIFICATE OF SERVICE**

I hereby certify that on the 24<sup>th</sup> day of May, 2025, I served a true and correct copy of the foregoing **MOTION TO ENLARGE TIME TO FILE RESPONSE TO PLAINTIFF'S MOTION FOR TEMPORARY RESTRAINING ORDER** by e-service, in accordance with the Electronic Filing Procedures of the United States District Court, to the following:

Jacob T. S. Valentine, Esq.  
Christopher M. Peterson, Esq.  
American Civil Liberties Union of Nevada  
4362 West Cheyenne Avenue  
North Las Vegas, Nevada 89032  
*Attorneys for Plaintiffs*

/s/ Audra R. Bonney  
An employee of WEINBERG, WHEELER, HUDGINS,  
GUNN & DIAL, LLC

